

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT MATTHEW PAUL
MITCHELL, SR.,

Defendant.

CR-06-102-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on October 29, 2019. (Doc. 75.) Robert Mitchell (Mitchell) waived the 14 day objection period and his right to allocute before the undersigned.

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on October 29, 2019. (Doc. 74.) The United States accused Mitchell of violating his conditions of supervised

release by failing to notify his probation officer of a change in residence. (Doc. 67.)

Mitchell admitted to the allegation. (Doc. 74.) Judge Johnston found that Mitchell's violation warrant revocation, and recommended a sentence of 9 months of custody, with a lifetime of supervised release to follow. (Doc. 75 at 4.)

The violation proves serious and warrants revocation of Mitchell's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 75) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Robert Paul Mitchell, Sr. be sentenced to custody to nine months, with a lifetime of supervised release to follow.

DATED this 31st day of October, 2019.



Brian Morris
United States District Court Judge